

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TELECARE, INC.	)	
	)	
_____	)	CASE NO.
	)	92-351
ALLEGED VIOLATION OF	)	
KRS 278.020 AND KRS 278.160	)	

O R D E R

On February 21, 1992, Telecare, Inc. ("Telecare") submitted an application for a Certificate of Public Convenience and Necessity to operate as a reseller of telecommunications services within the state of Kentucky.<sup>1</sup> On April 30, 1992 and on June 11, 1992, the Commission ordered Telecare to submit additional information. Telecare filed its responses on May 27, 1992 and August 3, 1992, respectively.

In the Commission's initial request for additional information, Telecare was asked, inter alia, whether or not it or any of its affiliates had ever provided and/or collected any money from the public for the provision of intrastate telecommunications services in Kentucky and, if so, to explain in detail. Telecare

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<sup>1</sup> Case No. 92-072, The Application of Telecare, Inc. for a Certificate of Public Convenience and Necessity to Operate as an Interexchange Telecommunications Resale Carrier Within the State of Kentucky.

responded in May that it was not providing intrastate telecommunications services in Kentucky at this time.

However, based on information received from an informal inquiry to the Commission's complaint hotline, the Commission ordered Telecare to provide a copy of all contracts and billing records pertaining to groups and associations. Telecare submitted in August records of all intrastate calls billed by Telecare through June 15, 1992. These records reflect 543 pages of customer call records for intrastate service rendered prior to Commission authorization for Telecare to provide service and are incorporated herein by reference.

Accordingly, the Commission finds a prima facie showing has been made that Telecare failed to receive Commission approval to operate and failed to receive Commission approval for its schedule of rates and conditions of service prior to collecting compensation for the provision of utility service in violation of KRS 278.020 and KRS 278.160. Therefore, Telecare should immediately cease and desist charging for any and all telecommunications services within the Commonwealth of Kentucky.

IT IS THEREFORE ORDERED that:


1. Telecare shall immediately cease and desist charging for any and all telecommunications services within the Commonwealth of Kentucky.

2. Telecare, represented by counsel, shall appear at a hearing scheduled September 30, 1992, at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, and be prepared to show

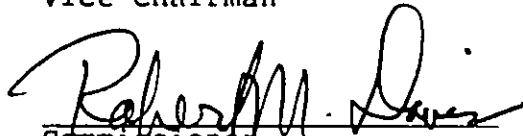
why it should not be penalized pursuant to KRS 278.020 for failing to comply with KRS 278.020 and KRS 278.160.

Done at Frankfort, Kentucky, this 28th day of August, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director